

EXHIBIT 154

From: Curtis, Jr., Charles G. (MSN)
Sent: Friday, September 11, 2020 10:43 AM
To: Murphy, S. Michael
Cc: Kennedy, Matthew S.; Schmelzer, Jody J.; Johnson-Karp, Gabe; Angela Liu; Alora Thomas; Ceridwen Cherry; Neil Steiner; Conley, Will (MSN); Do, Anna; Brown, Selby; Karyn Rotker
Subject: RE: Deposition follow-up and other matters

Mike,

Thanks very much for your response and for setting forth your explanation in writing for the record. I appreciate it. Thanks also to the DOT staff who looked into this. I will not bother you again about this issue prior to briefing and argument, but depending on how Judge Peterson rules we may well return to this subject later.

Best,

Chuck

From: Murphy, S. Michael <murphysm@doj.state.wi.us>
Sent: Friday, September 11, 2020 9:12 AM
To: Curtis, Jr., Charles G. (MSN) <CCurtis@perkinscoie.com>
Cc: Kennedy, Matthew S. <kennedym@doj.state.wi.us>; Schmelzer, Jody J. <SchmelzerJJ@DOJ.STATE.WI.US>; Johnson-Karp, Gabe <johnsonkarp@doj.state.wi.us>; Spiva, Bruce (WDC) <BSpiva@perkinscoie.com>; Callais, Amanda R. (WDC) <ACallais@perkinscoie.com>; Angela Liu <Angela.Liu@dechert.com>; Alora Thomas <athomas@aclu.org>; Ceridwen Cherry <ccherry@aclu.org>; Neil Steiner <neil.steiner@dechert.com>; Conley, Will (MSN) <WConley@perkinscoie.com>; Do, Anna <Anna.Do@dechert.com>; Brown, Selby <selby.brown@dechert.com>; Karyn Rotker <krotker@aclu-wi.org>
Subject: RE: Deposition follow-up and other matters

Chuck,

DOT has thoroughly reviewed the possible options for retrieving and producing the demographic information that you request below. The DMV customer database that Ms. Boardman mentioned is the master list of all DOT-issued products that contains information for millions of people. You may recall that earlier in this litigation we produced that list under tight encryption and careful transfer.

As you know, the demographic information that you request regarding IDPP applicants is not tracked within CAFU and the case activity reports. DOT staff, including its IT staff, looked at the product notations associated IDPP petitioner statuses (pending, cancelled, issued, suspended, denied, incomplete, etc.), and thought hard about how reliable automated matching could be done against the DMV customer database. The outcome is that it would take several hours of custom query programming to even attempt a match, and even then, the various datasets involved would not have a high degree of reliability as petitioner statuses regularly change. I have to admit that I do not understand all of the technical programming issues involved, but my takeaway is that the matching would require a customized query with several hours of runtime, has risks of over and under inclusion, and it would be difficult and time consuming to test for accuracy.

In light of the burden on DOT to create these records, which do not currently exist, and the likely evidentiary value of the outcome, DOT declines to undertake the burden of that project.

However, we could discuss further whether you want the master database, which is a record that currently exists. The security concerns over that database are extremely high; it contains all the information that a person would need to steal the identity of millions of Wisconsin residents, but we have successfully produced it in the past.

Mike

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From: Curtis, Jr., Charles G. (Perkins Coie) <CCurtis@perkinscoie.com>

Sent: Tuesday, September 8, 2020 3:26 PM

To: Murphy, S. Michael <murphysm@doj.state.wi.us>

Cc: Kennedy, Matthew S. <kennedysm@doj.state.wi.us>; Schmelzer, Jody J. <SchmelzerJJ@DOJ.STATE.WI.US>; Johnson-Karp, Gabe <johnsonkarp@doj.state.wi.us>; Spiva, Bruce V. (Perkins Coie) <BSpiva@perkinscoie.com>; Callais, Amanda R. (Perkins Coie) <ACallais@perkinscoie.com>; Angela Liu <Angela.Liu@dechert.com>; Alora Thomas <athomas@aclu.org>; Ceridwen Cherry <ccherry@aclu.org>; Neil Steiner <neil.steiner@dechert.com>; Conley, Will (Perkins Coie) <WConley@perkinscoie.com>; Do, Anna <Anna.Do@dechert.com>; Brown, Selby <selby.brown@dechert.com>; Karyn Rotker <krotker@aclu-wi.org>

Subject: Deposition follow-up and other matters

Dear Mike,

I hope you and your team had a good Labor Day weekend. I expect that we will want to communicate several times this week about various matters, but I wanted to raise one follow-up request from last week's depositions to the top of our list.

The *One Wisconsin* plaintiffs asked in their August 14 Scheduling Memorandum for "[t]he racial, age, and geographic (municipality) demographics of IDPP petitioners since January 2017, as well as the demographics of all 'denials' since then." I gathered from Ms. Schilz last week that DMV does not keep these kinds of statistics in a form that could be readily retrieved, but Ms. Boardman seemed confident that such information is in the DMV customer database and could be retrieved fairly readily (recognizing that some applicants do not list their race, which I assume is tracked as "Not Listed" or something like that). We ask that DMV prioritize the review, retrieval, and production of these data this week.

To simplify matters for everyone, I would be happy to restrict DMV's statistical analysis to the set of IDPP petitioners defined and analyzed in ¶ 30 of Ms. Boardman's August 11, 2020 declaration – i.e., the 10,046 IDPP petitions that DMV has received since November 1, 2016 and through July 31, 2020. Providing the demographic information we have requested from the

data set that DMV has already analyzed will ensure an “apples to apples” comparison (and hopefully be easier for DMV, since this set of petitions already has been identified and analyzed at least in part).

Given how long we have been asking for these demographic data (especially the racial breakdown in total petitions and denials), and given Ms. Boardman’s belief that these data can be quickly retrieved, we ask the DMV to produce the requested data analysis in the next several days, and certainly before the end of the week.

Mike, I recognize that we in turn owe you various responses, especially with respect to providing you with reasonable advance notice of potential declarants, experts, trial witnesses, etc. I will reach out to Karyn and her team and give you a report ASAP.

Thanks to you and your team, Mike, and to the DMV. I know that everyone is extremely busy and that expedited discovery is burdensome, and with that in mind I will do everything I can do to streamline things, prioritize our requests, and avoid any unnecessary burdens for anyone.

Best,

Chuck

P.S. I have added and dropped a few members of the One Wisconsin team from this email chain. Please use this set of other recipients in responding to these requests.

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